

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Consolidated Papers, Inc. -
Kraft Division
950 Fourth Avenue North
Wisconsin Rapids, Wisconsin

Proceedings Pursuant to
Section 113(a)(1) of the
Clean Air Act, 42 U.S.C.
§7413(a)(1)

FINDING OF VIOLATION

EPA-5-00-WI-6

FINDING OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA) is issuing this Finding of Violation to the State of Wisconsin and Consolidated Papers, Inc.- Kraft Division ("CPI") under Section 113(a)(1) of the Clean Air Act (the Act), 42 U.S.C. § 7413(a)(1). CPI has violated Section 111(e) of the Act, 42 U.S.C. §7411(e) and the Standards of Performance for Kraft Pulp Mills at 40 C.F.R. Part 60, Subpart BB as follows:

Statutory and Regulatory Background

1. On February 23, 1978, in accordance with Section 111(b) of the Act, U.S. EPA promulgated New Source Performance Standards ("NSPS") for the Kraft Pulp Mills, 40 C.F.R. Part 60, Subpart BB, Sections 60.280 - 60.285. 43 Fed. Reg. 7568.
2. The U.S. EPA promulgated revisions to these regulations on May 20, 1986, at 51 Fed. Reg. 18544 - 18545 and 40 C.F.R. Sections 60.280 - 60.285.
3. 40 C.F.R. Part 60, Subpart BB applies to digester systems, brown stock washer systems, multiple-effect evaporator systems, recovery furnaces, smelt dissolving tanks, lime kilns, and condensate stripper systems.
4. Under Section 111(b) of the Act, 42 U.S.C. §7411, 40 C.F.R. §§60.1 - 19 ("General Provisions") apply to the owner or operator of any stationary source that contains an affected facility under 40 C.F.R. Part 60, Standards of Performance for New Stationary Sources ("NSPS").

5. 40 C.F.R. §60.14 provides that any physical or operational change to an existing facility that results in an increase in the emission rate to the atmosphere of any pollutant to which an NSPS applies shall be considered a modification. Upon modification, an existing facility shall become an affected facility for each pollutant to which a NSPS applies and for which there is an increase in the emission rate to the atmosphere.
6. "Kraft Pulp Mill" means any stationary source which produces pulp from wood by cooking (digesting) wood chips in a water solution of sodium hydroxide and sodium sulfide (white liquor) at high temperature and pressure. Regeneration of the cooking chemicals through a recovery process is also considered part of the kraft pulp mill. 40 C.F.R. §60.281(a).
7. "Total Reduced Sulfur" (TRS) means the sum of the sulfur compounds hydrogen sulfide, methyl mercaptan, dimethyl sulfide, and dimethyl disulfide, that are released during the kraft pulping operation and measured by U.S. EPA, Reference Method 16. 40 C.F.R. §60.281(c).
8. "Recovery Furnace" means either a straight kraft recovery furnace or a cross recovery furnace, and includes the direct-contact evaporator for a direct-contact furnace.
9. "Straight kraft recovery furnace" means a furnace used to recover chemicals consisting primarily of sodium and sulfur compounds by burning black liquor which on a quarterly basis contains 7 weight percent or less of the total pulp solids from the neutral sulfite semichemical process or has green liquor sulfidity of 28 percent or less. 40 C.F.R. §60.281(i).
10. "Black Liquor Solids" means the dry weight of the solids which enter the recovery furnace in the black liquor. 40 C.F.R. §60.281(k).
11. "Smelt Dissolving Tank" means a vessel used for dissolving the smelt collected from the recovery furnace. 40 C.F.R. §60.281(m).
12. 40 C.F.R. §60.7(a) requires that any owner or operator subject to the provisions of 40 C.F.R. Subpart A shall furnish the Administrator written notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically

exempted under the applicable subpart or in §60.14(e).

13. 40 C.F.R. §60.7(c) requires that an owner or operator who is required to install a continuous emission monitoring system (CEMS) submit excess emissions reports from the affected facility using the form provided under 40 C.F.R. §60.7(d)
14. 40 C.F.R. §60.8 provides that, within 60 days after achieving the maximum production rate at which the affected facility will be operated, but no later than 180 days after the initial startup of such facility, the owner or operator of such facility must conduct a performance test and furnish the administrator a written report of the results of such performance test.
15. 40 C.F.R. §60.283(a)(2) provides that no owner or operator subject to the provisions of 40 C.F.R. Subpart BB shall cause to be discharged into the atmosphere from any straight kraft recovery furnace any gases which contain TRS in excess of 5 ppm by volume on a dry basis, corrected to 8 percent oxygen.
16. 40 C.F.R. § 60.284(a) provides that any owner or operator subject to 40 C.F.R. Subpart BB shall install, calibrate, maintain, and operate the following continuous monitoring systems: (1) A continuous monitoring system (CEM) to monitor and record the opacity of the gases discharged into the atmosphere from the recovery furnace; (2) A continuous monitoring system to monitor and record the concentration of TRS emissions on a dry basis and the percent of oxygen by volume on a dry basis in the gases discharged into the atmosphere from any recovery furnace.
17. 40 C.F.R. §60.284(c)(1) provides that any owner or operator subject to 40 C.F.R. Subpart BB shall calculate and record on a daily basis 12-hour average TRS concentrations for the two consecutive periods of each operating day. Each 12-hour average shall be determined as the arithmetic mean of the appropriate 12 continuous 1-hour average total reduced sulfur concentrations provided by each CEM installed under 40 C.F.R. §60.284(a)(2).
18. 40 C.F.R. §60.284(c)(2) provides that any owner or operator subject to 40 C.F.R. Subpart BB shall calculate and record on a daily basis 12-hour average oxygen concentrations for the two consecutive periods of each operating day for the recovery furnace. These 12-hour averages shall correspond to the 12-hour average TRS concentrations under 40 C.F.R. §60.284(c)(1) and shall be determined as an arithmetic mean of the appropriate 12 continuous 1-hour average oxygen

concentrations provided by each continuous monitoring system installed under 40 C.F.R. §60.284(a)(2).

19. 40 C.F.R. §60.284(c)(3) provides that any owner or operator subject to 40 C.F.R. Subpart BB shall correct all 12-hour average TRS concentrations to 8 volume percent using the following equation:

$$C_{\text{corr}} = C_{\text{meas}} * (21 - X/21 - Y)$$

where:

- C_{corr} = the concentration corrected for oxygen.
- C_{meas} = the concentration uncorrected for oxygen.
- X = the volumetric oxygen concentration in percentage to be corrected to 8 percentage for recovery furnaces.
- Y = the measured 12-hour average volumetric concentration.

20. 40 C.F.R. §60.284(d)(1) provides that for the purpose of reports required under §60.7(c), any owner or operator subject to 40 C.F.R. Subpart BB shall report semiannually periods of excess emissions from any recovery furnace.

STATEMENTS OF FACTS

21. CPI owns and operates two recovery boilers R-1 and R-2 at its Kraft Division in Wisconsin Rapids, Wisconsin.
22. R-1 was installed in 1966 and began operation in 1968. At that time, the capacity of R-1 was estimated at 1.20 million pounds black liquor solids per day.
23. R-2 was installed in 1976 and began operation in 1978. At that time, the capacity of R-2 was rated at 1.20 million pounds black liquor solids per day.
24. From May 18 through 20, 1999, five duly delegated representatives of EPA conducted a compliance inspection of the CPI - Kraft Division in Wisconsin Rapids, Wisconsin.
25. In or about 1989, CPI modified the capacity of R-1 in order to increase the black liquor solids throughput to more than 1.50 million pounds per day.
26. In or about 1990, CPI modified the capacity of R-2 in order to increase the black liquor solids throughput to more than 1.50 million pounds per day.

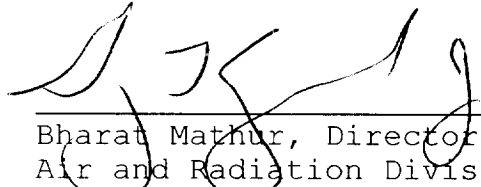
27. R-1 and R-2 are subject to 40 C.F.R. Part 60, Subpart BB because the 1989 and 1990 modifications constitute modifications as defined in 40 C.F.R. §60.14.
28. On or about September 19 through 22, 1995, CPI performed a stack test on R-1 and R-2.
29. On or about October 21, 1997, CPI performed a stack test on R-2.
30. On or about August 25, 1999, CPI performed a stack test on R-1.
31. On or about September 21, 1999, CPI performed a stack test on R-2.
32. Based on the results of these stack tests, the TRS emissions from R-1 and R-2 exceeded the limit of 5 ppm by volume on a dry basis, corrected to 8 percent oxygen.

Violations

33. In violation of 40 C.F.R. §60.7(a), CPI has failed to submit to EPA a written notification of a physical or operational change to R-1 and R-2.
34. In violation of 40 C.F.R. §§60.7(c) and 60.284(d)(1), CPI has failed to submit an excess emissions report for R-1 and R-2 to EPA.
35. In violation of 40 C.F.R. §60.8, CPI has failed to conduct a performance test on R-1 and R-2 in accordance with 40 C.F.R. §60.8 and failed to furnish the EPA a written report of the results of such performance test.
36. On or about September 19, 1995, to present, in violation of 40 C.F.R. §60.283(a)(2), CPI caused to be discharged into the atmosphere from R-1 and R-2 TRS emissions in excess of 5 ppm by volume on a dry basis, corrected to 8 percentage oxygen.
37. On or about September 19, 1995, to present, in violation of 40 C.F.R. §60.284(a)(2), CPI has failed to install, calibrate, maintain, and operate a CEM to monitor and record the concentration of TRS emissions on a dry basis and the percent of oxygen by volume on a dry basis in the gases discharged into atmosphere from R-1 and R-2.

38. On or about September, 1995, to present, in violation of 40 C.F.R. §60.284(c)(1), CPI has failed to calculate and record on a daily basis 12-hour average TRS concentrations for the two consecutive periods of each operating day for R-1 and R-2.
39. On or about September, 1995, to present, in violation of 40 C.F.R. §60.284(c)(2), CPI has failed to calculate and record on a daily basis 12-hour average oxygen concentrations for the two consecutive periods of each operating day for R-1 and R-2.
40. On or about September, 1995, to present, in violation of 40 C.F.R. §60.284(c)(3), CPI has failed to correct all 12-hour average TRS concentrations to 8 volume percent oxygen.

3/21/00
Date


Bharat Mathur, Director
Air and Radiation Division

FDR

CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent a Finding of Violation, No. EPA-5-00-WI-6, by Certified Mail, Return Receipt Requested, to:

James Weinbauer, Director of Environmental Affairs
Consolidated Papers, Kraft Division
950 4th Avenue North
P.O. Box 8050
Wisconsin Rapids, Wisconsin 54495-8050

I also certify that I sent copies of the Finding of Violation by first class mail to:

Lloyd Eagan, Director
Bureau of Air Management
Wisconsin Department of Natural Resources
P.O. Box 7921
101 South Webster
Madison, Wisconsin 53707

Tom Woletz
West Central Region
Wisconsin Department of Natural Resources
P.O. Box 4001
1300 West Clairemont
Eau Claire, Wisconsin 54702

Mark A. Thimke
Foley & Lardner
Firststar Center
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-5367

on the 21 day of March, 2000.

Shanee Rucker
Shanee Rucker, Secretary
AECAS, (MI/WI)
(312) 866-6086

CERTIFIED MAIL RECEIPT NUMBER: 2199026491